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The Honorable John Milton Younge  
United States District Court for the  
Eastern District of Pennsylvania  
James A. Byrne United States Courthouse  
601 Market Street, Room 4007  
Philadelphia, PA 19106

September 26, 2021

## Re: Zachary J., et al., v. Colonial School Dist., No. 19-652

Dear Judge Younge:

I write in a rough equivalent of Federal Rule of Appellate Procedure 28(j) (“Citation of Supplemental Authorities”) in this administrative appeal, to bring to the Court’s attention an opinion issued since the briefing in this matter was completed: that of the Honorable Gene E.K. Pratter in *M.D. et al. v. Colonial School District*, 2021 WL 1924083 (E.D. Pa., May 13, 2021).

In *M.D.*, the school district and private school were the same as in the case at hand. Several issues were identical or analogous to those before this Court, including whether the Colonial School District denied FAPE and owed the family tuition reimbursement. Judge Pratter correctly found Colonial had denied FAPE. She found AIM appropriate in light of the evidence in that matter, awarding tuition reimbursement. The evidence in the case at hand is even stronger.

I hope that *M.D.* is of some assistance to the Court.

Respectfully yours,

John W. Goldsborough, Esq.

cc: Karl Romberger, Esq.

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